

**MONDAY, FEBRUARY 12, 2001**

**EIGHTH LEGISLATIVE DAY**

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Reverend Gary Anderson, Rutherford County Sheriff's Department, Murfreesboro, Tennessee.

Representative Hood led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present.....97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Brown; illness.

Representative Pleasant; illness.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 62:** Rep(s). Phillips as prime sponsor(s).

**MESSAGE FROM THE SENATE  
February 12, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 65; adopted for concurrence.

RUSSELL A. HUMPHREY, Chief Clerk.

**Senate Joint Resolution No. 65** -- Memorials, Recognition - Shriners Hospital for Children in Lexington, Kentucky, 75th Anniversary. by \*Crutchfield, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper J, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

**MESSAGE FROM THE SENATE  
February 12, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 5; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**\*Senate Bill No. 5** -- Municipal Government - Clarifies that person authorized to vote in municipal election or referendum held in Pigeon Forge as non-resident real property owner is not qualified to run for election to office of commissioner. Amends TCA Title 6, Chapter 20, Part 1. by \*Clabough. (HB108 by \*Montgomery)

**PERSONAL ORDERS**

**RECOGNITION IN THE WELL**

Reps. McDonald, Black and Sen. Graves were recognized in the Well to introduce the Portland High School football team, 2000 Class 3A State Champions.

**RESOLUTION READ**

The Clerk read House Joint Resolution No. 12 honoring the team on their accomplishments.

**House Joint Resolution No. 12** -- Memorials, Sports - Portland High School football team, first Blue Cross Bowl champion. by \*McDonald, \*Black, \*Curtiss, \*Fowlkes, \*Williams (Williamson), \*Garrett, \*West, \*Bone, \*Hood, \*Rinks.

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Joint Resolution No. 63** -- Highway Signs - "David Blackwell Bridge," U.S. 31A at Big Rock Creek in Marshall County. by \*Fowlkes, \*Beavers.

House Transportation Committee

**\*House Joint Resolution No. 67** -- Constitutional Amendments Amends Constitution of Tennessee to allow school boards to impose taxes for school purposes, as provided by general law. by \*Head.

House Education Committee

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 14, 2001:

**House Resolution No. 21** -- Memorials, Public Service - Eddie Veazey. by \*Ridgeway.

**House Joint Resolution No. 68** -- Memorials, Personal Occasion - Grace Copeland Bilbrey, 102nd birthday. by \*Windle.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 14, 2001:

**Senate Joint Resolution No. 46** -- Naming and Designating - Designates February 6, 2001, as "Ronald Reagan Day" in Tennessee. by \*Burchett, \*Blackburn.

**Senate Joint Resolution No. 65** -- Memorials, Recognition – Shriners' Hospital for Children in Lexington, Kentucky, 75th Anniversary. by \*Crutchfield, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper J, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jackson, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Norris, \*Person, \*Ramsey, \*Rochelle, \*Trail, \*Wilder, \*Williams.

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 1205** -- Mental Illness - Redefines "state employee" to add employer of community-based screening agencies for purposes of mental health law in defense counsel statute. Amends TCA Title 8; Title 9 and Title 33. by \*Westmoreland, \*Patton.

**House Bill No. 1206** -- Mental Health and Developmental Disabilities, Dept. of - Requires department to assess in writing fiscal impact on licensees of department caused by change to rule, regulation, policy, or guideline relating to operation of licensee for rendering services pursuant to contract, grant, or agreement with division. Amends TCA Title 33. by \*Maddox, \*Armstrong, \*Ferguson.

**House Bill No. 1207** -- Alcoholic Beverages - Authorizes Nashville Superspeedway to serve alcoholic beverages for consumption on premises. Amends TCA Title 57, Chapter 4. by \*Bone.

**House Bill No. 1208** -- Divorce, Annulment and Alimony - Permits clerk of court, including clerk and master, and subject to court's approval, to conduct parent education seminars required under parenting plan. Amends TCA Title 36, Chapter 6. by \*Bone.

**\*House Bill No. 1209** -- Telecommunications - Removes exclusion that permitted certain incumbent local exchange telephone companies with less than 100,000 total access lines to be exempt from requirement of obtaining certificate of convenience and necessity. Amends TCA Section 65-4-201. by \*Wood.

**House Bill No. 1210** -- Utilities, Utility Districts - Limits disclosure of consumer records by municipal utilities. Amends TCA Title 10. by \*Clem.

**House Bill No. 1211** -- Forest and Forest Products - Enacts "Tennessee Sustainable Forest Management Act of 2001." Amends TCA Title 11, Chapter 4. by \*Odom.

**House Bill No. 1212** -- Bad Checks - Increases amount payee of check may charge if check had insufficient funds or incorrect signature from \$20.00 to \$30.00. Amends TCA Title 47, Chapter 29. by \*White.

**House Bill No. 1213** -- Firearms and Ammunition - Creates Class E felony of carrying or possessing firearm while committing or escaping from felony; makes such defendant ineligible for probation or parole; makes firearm sentence run consecutively to punishment for any other felony; and requires charge for new offense if firearm used to commit felony. Amends TCA Section 39-17-1307. by \*Kent.

**House Bill No. 1214** -- Workers' Compensation - Removes requirement that physicians on panel of three selected by employer not be associated together in practice. Amends TCA Section 50-6-204. by \*Head.

**House Bill No. 1215** -- Workers' Compensation - Sets calculation of lump sum payment at present value of future compensation payments computed at 10 percent true discount compounded annually. Amends TCA Section 50-6-229. by \*Head.

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**House Bill No. 1216** -- Workers' Compensation - Requires that for all injuries occurring on or after 7/1/2001 employer or insurer shall receive credit for payment of temporary total disability in excess of 125 weeks in awards of compensation for permanent total or permanent partial disability. Amends TCA Section 50-6-207. by \*Head.

**House Bill No. 1217** -- Limitation of Actions - Adds nonsuit, in addition to reversal and arrest of judgment, as situations when plaintiff may commence new action if other applicable conditions met. Amends TCA Section 28-1-105. by \*Buck.

**House Bill No. 1218** -- Civil Procedure - Enacts "Sunshine in Litigation Act.". by \*Buck.

**House Bill No. 1219** -- County Officers - Prohibits person convicted of crime against person, property, or family from holding office of constable. Amends TCA Title 8, Chapter 10. by \*Williams (Williamson).

**House Bill No. 1220** -- Consumer Protection - Makes it unfair or deceptive act under Consumer Protection Act for hotel to charge more for hotel room than maximum rate it charges 30 percent of year. Amends TCA Title 47, Chapter 18, Part 1. by \*Williams (Williamson).

**House Bill No. 1221** -- Health Care - Extends from July 1, 2001, to July 1, 2006, provisions of Public Chapter 985 of Public Acts of 2000, which redefined "home health services" to exclude home- and community-based services for individuals with mental retardation provided through division of mental retardation services. Amends TCA Title 68, Chapter 11 and Chapter 985 of the Public Acts of 2000. by \*Scroggs.

**House Bill No. 1222** -- Forest and Forest Products - Enacts "Tennessee Forest Boundary Landowner Protection Act of 2001"; requires owner of property on which logging will occur or logging operator to mark harvest area 30 days prior to harvest and to notify adjoining land owners in writing 30 days prior to harvest. Amends TCA Title 11, Chapter 4 and Title 69. by \*Scroggs.

**House Bill No. 1223** -- Insurance Companies, Agents, Brokers, Policies - Prohibits discrimination based on genetic information by certain health insurance providers and in certain employment, housing, civil service, and public programs; prohibits unfair discrimination in life, disability, long-term insurance; makes genetic information confidential. Amends TCA Title 4, Chapter 21; Title 4, Chapter 3; Title 7, Chapter 60; Title 8, Chapter 30, Part 2; Title 8, Chapter 30, Part 3; Section 13-23-103; Section 37-5-116; Section 49-11-105; Section 49-4-301; Section 49-6-3109; Title 56, Chapter 7; Section 62-13-312; Title 68, Chapter 14, Part 6 and Section 68-11-702. by \*Scroggs.

**House Bill No. 1224** -- Aged Persons - Specifies that appeals of modifications and cancellations of assistance shall be conducted as contested cases pursuant to Uniform Administrative Procedures Act. Amends TCA Title 71. by \*Garrett.

**House Bill No. 1225** -- Claims Commission, Tennessee - Authorizes attorney general and reporter to approve other counsel to represent state in claims before claims commission or claims removed or transferred to chancery or circuit court. Amends TCA Section 9-8-406. by \*Scroggs.

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**House Bill No. 1226** -- Driver Licenses - Clarifies authority of department of safety in establishing payment plans for reinstatement or restoration of suspended or revoked driver license. Amends TCA Section 55-12-129. by \*Turner (Shelby), \*Shaw, \*Towns, \*Brooks, \*Bowers, \*Cooper B.

**House Bill No. 1227** -- Teachers, Principals and School Personnel - Provides for reimbursement, up to \$2,000, to each teacher certified by National Board for Professional Teaching Standards. Amends TCA Section 49-5-5609. by \*Turner (Shelby), \*Shaw, \*Towns, \*Brooks, \*Bowers, \*Cooper B.

**House Bill No. 1228** -- Traffic Safety - Adds scooter to definition of bicycle for purposes of child bicycle safety. Amends TCA Title 55, Chapter 52, Part 1. by \*Turner (Hamilton).

**House Bill No. 1229** -- Sexual Offenses - Conforms language of expungement provisions, within sexual offender registration and monitoring law, to language of amendments enacted during 2000 regular session. Amends TCA Section 40-39-109. by \*Turner (Hamilton).

**House Bill No. 1230** -- Transportation, Dept. of - Establishes pilot project to measure effectiveness and feasibility of installing protective fencing or enclosures on interstate highway over-passes. Amends TCA Title 54 and Title 55. by \*Turner (Hamilton).

**House Bill No. 1231** -- Traffic Safety - Prohibits driver under 18 from operating motor vehicle while engaged on cellular telephone; violation is Class B misdemeanor punishable by \$100 fine; creates affirmative defense for bona fide emergency. Amends TCA Title 55, Chapter 8, Part 1. by \*Maddox.

**House Bill No. 1232** -- Driver Licenses - Prohibits driver possessing learner permit or intermediate driver license from operating motor vehicle while engaged on cellular telephone; violation is Class B misdemeanor punishable by \$100 fine and delayed eligibility for next license type; creates affirmative defense for bona fide emergency. Amends TCA Title 55, Chapter 50, Part 3. by \*Maddox.

**House Bill No. 1233** -- Tort Liability - Provides that maximum limits of liability for judgments against governmental entities do not include interest that accrues on judgment while it is on appeal. Amends TCA Title 29, Chapter 20. by \*Sands.

**House Bill No. 1234** -- Aged Persons - Requires department of mental health and developmental disabilities to adopt rules for licensure and regulation of persons providing independent living support services; changes termination date of Public Chapter 985 of 2000 from July 1, 2001 to July 1, 2002. Amends TCA Title 33; Title 68 and Title 71. by \*Caldwell.

**House Bill No. 1235** -- Licenses - Requires persons licensed to practice medicine to complete 40 hours of continuing medical education every two years; board of medical examiners to promulgate rules, and address variances for hardship, illness, and initial year of licensure. Amends TCA Title 63, Chapter 6. by \*Caldwell.

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**House Bill No. 1236** -- Insurance Companies, Agents, Brokers, Policies - Requires insurance companies issuing homeowners or property or casualty coverage on real property to cover land subsistence due to subsurface natural phenomena and inform current policy holders that land subsistence coverage may be excluded from homeowner's current policy. Amends TCA Title 56, Chapter 7, Part 1. by \*Caldwell.

**House Bill No. 1237** -- Motor Vehicles, Titling and Registration - Authorizes issuance of new specialty earmarked license plates for city of Oak Ridge; allocates 50 percent of funds produced from sale thereof to Oak Ridge Public Schools Education Foundation. Amends TCA Title 55, Chapter 4. by \*Caldwell.

**House Bill No. 1238** -- Collection Agencies - Requires collection agencies and their employees to disclose certain information when collecting or attempting to collect indebtedness from individuals. Amends TCA Title 62, Chapter 20, Part 1. by \*Caldwell.

**House Bill No. 1239** -- Medical Occupations - Grants immunity to emergency medical technicians under Governmental Tort Liability Act. Amends TCA Section 29-20-310. by \*Caldwell.

**House Bill No. 1240** -- Criminal Offenses - Adds municipal attorneys who prosecute ordinance violations to list of public officials against whom it is Class E felony to harm or threaten harm in retaliation for past action of public official. Amends TCA Section 39-16-510. by \*Caldwell.

**House Bill No. 1241** -- Financial Responsibility Law - Requires commissioner of safety to assess civil penalty in certain amounts for failure to file accident reports and failure to have insurance in effect on date accident occurs. Amends TCA Title 55, Chapter 12, Part 1. by \*Caldwell.

**House Bill No. 1242** -- Autopsies - Enacts "Sudden, Unexplained Child Death Act." Amends TCA Title 68, Chapter 1, Part 11; Title 68, Chapter 142 and Title 68, Chapter 3, Part 5. by \*Caldwell.

**House Bill No. 1243** -- Divorce, Annulment and Alimony - Requires health insurance companies to continue coverage of divorced spouse of person who maintained coverage; commissioner of commerce and insurance to determine rates; eligibility of divorced spouse to receive coverage to end upon remarriage or as in order. Amends TCA Title 36, Chapter 4 and Title 56, Chapter 7. by \*Chumney.

**House Bill No. 1244** -- Bond Issues - Authorizes sale of \$2,000,000 in bonds to fund cabins and improvements at David Crockett State Park. by \*White.

**House Bill No. 1245** -- Driver Licenses - Modifies graduated driver licensing. Amends TCA Title 55, Chapter 50, Part 3. by \*Fowlkes.

**House Bill No. 1246** -- Motor Vehicles, Titling and Registration - Authorizes issuance of cultural license plates for Public Transportation. Amends TCA Title 54 and Title 55. by \*Fowlkes.

**House Bill No. 1247** -- Motor Vehicles, Titling and Registration - Authorizes issuance of cultural plates for Horticulture. Amends TCA Title 54 and Title 55. by \*Fowlkes.

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**House Bill No. 1248** -- Children - Requires emergency medical services provider to take possession of voluntarily-delivered child in certain circumstances. Amends TCA Title 36; Title 37 and Title 68. by \*White.

**House Bill No. 1249** -- Hospitals and Health Care Facilities - Extends from 20 to 30 days time before public benefit corporation may transfer or convey assets as part of dissolution process; provides hospital definition applies regardless of form of ownership of institution. Amends TCA Title 33; Title 48, Chapter 64; Title 48, Chapter 68 and Title 68, Chapter 11, Part 2. by \*Givens.

**House Bill No. 1250** -- Hospitals and Health Care Facilities - Extends from 20 to 30 days time before public benefit corporation may transfer or convey assets as part of dissolution process; provides hospital definition applies regardless of form of ownership of institution. by \*Givens.

**House Bill No. 1251** -- Hospitals and Health Care Facilities - Adds report on community benefits to annual statistical report submitted by hospitals to department of health. Amends TCA Section 68-11-310. by \*Givens.

**House Bill No. 1252** -- Tobacco Master Settlement Agreement - Provides that all funds received from tobacco master settlement agreement shall be held 50 percent in agricultural trust fund and 50 percent in health trust fund with only income from such funds available for expenditure for agricultural and health purposes respectively. Amends TCA Title 9, Chapter 4, Part 55. by \*Head.

**House Bill No. 1253** -- Insurance, Health, Accident - Sets certain duties between payor and health care provider concerning selling, leasing, or transferring of health care provider's contract. Amends TCA Title 56. by \*Cole (Dyer).

**House Bill No. 1254** -- Managed Care Organizations - Includes certified nurse midwives and nurses in advanced practice in class of providers against which managed care organizations cannot discriminate with respect to participation, referral, reimbursement of covered services, or indemnification to provider acting within scope of provider's license or certification. Amends TCA Title 56, Chapter 32, Part 2 and Title 56, Chapter 7. by \*Cole (Dyer), \*McKee, \*Cole (Carter), \*Phelan.

**House Bill No. 1255** -- Fiscal Review Committee - Requires staff of fiscal review committee to prepare statement for each general bill that mandates coverage of health insurance benefits; statement to include cost impact to individual policy holder or enrollee in managed health care plan and insurer, stating reasons if no estimate can be given. Amends TCA Title 3, Chapter 2, Part 1. by \*Head.



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**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 988** -- Hearing and Hearing Aids -- House Health and Human Resources Committee

**House Bill No. 989** -- Tennessee Housing Development Agency -- House Finance, Ways and Means Committee

**House Bill No. 990** -- Taxes, Sales -- House Finance, Ways and Means Committee

**House Bill No. 991** -- Dentists -- House Health and Human Resources Committee

**House Bill No. 992** -- Insurance, Motor Vehicles -- House Transportation Committee

**House Bill No. 993** -- Credit and Debit Cards -- House Education Committee

**House Bill No. 994** -- Loan Companies and Short Term Lenders -- Caption Bill Held on House Desk

**House Bill No. 995** -- DUI/DWI Offenses -- House Judiciary Committee

**House Bill No. 996** -- Local Education Agency -- House Education Committee

**House Bill No. 997** -- Insurance, Motor Vehicles -- House Transportation Committee

**House Bill No. 998** -- Criminal Offenses -- House Judiciary Committee

**House Bill No. 999** -- TennCare -- House Commerce Committee

**House Bill No. 1000** -- Education, Higher -- House Education Committee

**House Bill No. 1001** -- Internet and -- House Judiciary Committee

**House Bill No. 1002** -- Workers' Compensation -- House Consumer and Employee Affairs Committee

**House Bill No. 1003** -- Equalization Board -- Caption Bill Held on House Desk

**House Bill No. 1004** -- Safety, Dept. of -- Caption Bill Held on House Desk

**House Bill No. 1005** -- Taxes, Tobacco, Tobacco Products -- House Agriculture Committee

**House Bill No. 1006** -- TennCare -- House Commerce Committee

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**House Bill No. 1007** -- Tort Liability -- House Judiciary Committee

**House Bill No. 1008** -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee

**House Bill No. 1009** -- Taxes, Exemption -- House Finance, Ways and Means Committee

**House Bill No. 1010** -- Taxes, Real Property -- House State and Local Government Committee

**House Bill No. 1011** -- Grand Juries -- House Judiciary Committee

**House Bill No. 1012** -- Education -- House Education Committee

**House Bill No. 1013** -- Taxes, Ad Valorem -- House State and Local Government Committee

**House Bill No. 1014** -- Education -- House Education Committee

**House Bill No. 1015** -- Education -- House Education Committee

**House Bill No. 1016** -- Child Custody and Support -- House Commerce Committee

**\*House Bill No. 1017** -- Taxes, Ad Valorem -- House State and Local Government Committee

**\*House Bill No. 1018** -- Abuse -- House Judiciary Committee

**\*House Bill No. 1019** -- Traffic Safety -- House Transportation Committee

**House Bill No. 1020** -- Purchasing -- House State and Local Government Committee

**House Bill No. 1021** -- Teachers, Principals and School Personnel -- House Education Committee

**House Bill No. 1022** -- Local Education Agency -- House Education Committee

**House Bill No. 1023** -- Minority Affairs -- House Health and Human Resources Committee

**House Bill No. 1024** -- Transportation, Dept. of -- House Transportation Committee

**House Bill No. 1025** -- Education -- House Education Committee

**House Bill No. 1026** -- Business and Commerce -- Caption Bill Held on House Desk

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**House Bill No. 1027** -- Architects, Engineers and Designers -- House Commerce Committee

**House Bill No. 1028** -- Alcoholic Beverages -- House State and Local Government Committee

**House Bill No. 1029** -- Veterans -- House Education Committee

**House Bill No. 1030** -- Taxes, Real Property -- House State and Local Government Committee

**House Bill No. 1031** -- Taxes, Real Property -- House State and Local Government Committee

**House Bill No. 1032** -- Taxes, Sales -- House Finance, Ways and Means Committee

**House Bill No. 1033** -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee

**House Bill No. 1034** -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee

**\*House Bill No. 1035** -- Grand Juries -- House Judiciary Committee

**House Bill No. 1036** -- Employees, Employers -- House State and Local Government Committee

**House Bill No. 1037** -- Gas, Petroleum Products, Volatile Oils -- House Commerce Committee

**House Bill No. 1038** -- Tennessee Higher Education Commission -- House Education Committee

**House Bill No. 1039** -- Teachers, Principals and School Personnel -- House Education Committee

**House Bill No. 1040** -- Teachers, Principals and School Personnel -- House Education Committee

**House Bill No. 1041** -- Mental Health and Developmental Disabilities, Dept. of -- House Health and Human Resources Committee

**House Bill No. 1042** -- Statutes -- House Education Committee

**House Bill No. 1043** -- Children -- House Government Operations Committee

**House Bill No. 1044** -- Education -- House Education Committee

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- \*House Bill No. 1045** -- Insurance, Health, Accident -- House Judiciary Committee
- House Bill No. 1046** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1047** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1048** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1049** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1050** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1051** -- Taxes, Franchise -- House Finance, Ways and Means Committee
- House Bill No. 1052** -- Taxes, Franchise -- House Finance, Ways and Means Committee
- House Bill No. 1053** -- Taxes, Franchise -- House Finance, Ways and Means Committee
- House Bill No. 1054** -- Professions and Occupations -- House Commerce Committee
- House Bill No. 1055** -- Motor Vehicles -- House Consumer and Employee Affairs Committee
- House Bill No. 1056** -- Gas, Petroleum Products, Volatile Oils -- Caption Bill Held on House Desk
- House Bill No. 1057** -- Professions and Occupations -- House Commerce Committee
- House Bill No. 1059** -- Telecommunications -- House Commerce Committee
- House Bill No. 1060** -- Utilities, Utility Districts -- House State and Local Government Committee
- House Bill No. 1061** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1062** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1063** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee
- House Bill No. 1064** -- Sunset Laws -- House Government Operations Committee
- \*House Bill No. 1065** -- Sunset Laws -- House Government Operations Committee

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- House Bill No. 1066** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1067** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1068** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1069** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1070** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1071** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1072** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1073** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1074** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 1075** -- State Employees -- House State and Local Government Committee
- House Bill No. 1076** -- Zoning -- House State and Local Government Committee
- House Bill No. 1077** -- Handgun Permits -- House Judiciary Committee
- House Bill No. 1078** -- Adoption -- House Children and Family Affairs Committee
- House Bill No. 1079** -- Tourism -- House Conservation and Environment Committee
- House Bill No. 1080** -- Firearms and Ammunition -- House Judiciary Committee
- \*House Bill No. 1081** -- Law Enforcement -- Caption Bill Held on House Desk
- House Bill No. 1082** -- Employees, Employers -- House Judiciary Committee
- House Bill No. 1083** -- Fire Prevention and Investigation -- House State and Local Government Committee
- House Bill No. 1084** -- Employees, Employers -- House Judiciary Committee
- House Bill No. 1085** -- Medical Occupations -- House Health and Human Resources Committee
- House Bill No. 1086** -- Courts -- House Judiciary Committee
- House Bill No. 1087** -- Boards and Commissions -- House Government Operations Committee
- \*House Bill No. 1088** -- Courts -- House Judiciary Committee
- House Bill No. 1089** -- Sales -- House Commerce Committee

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- \*House Bill No. 1090** -- Private Protective Services -- House Commerce Committee
- House Bill No. 1091** -- Criminal Offenses -- House Judiciary Committee
- House Bill No. 1092** -- Workers' Compensation -- House Consumer and Employee Affairs Committee
- House Bill No. 1093** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee
- House Bill No. 1094** -- Firearms and Ammunition -- House Judiciary Committee
- House Bill No. 1095** -- Criminal Offenses -- House Judiciary Committee
- House Bill No. 1096** -- Firearms and Ammunition -- House Judiciary Committee
- House Bill No. 1097** -- Private Protective Services -- House Judiciary Committee
- House Bill No. 1098** -- Motor Vehicles, Titling and Registration -- House Transportation Committee
- House Bill No. 1099** -- Firearms and Ammunition -- House Judiciary Committee
- House Bill No. 1100** -- Handgun Permits -- House Judiciary Committee
- House Bill No. 1101** -- Handgun Permits -- House Judiciary Committee
- House Bill No. 1102** -- Firearms and Ammunition -- House Judiciary Committee
- House Bill No. 1103** -- Education -- House Education Committee
- House Bill No. 1104** -- Taxes, Amusement -- House Finance, Ways and Means Committee
- House Bill No. 1105** -- Death -- House Judiciary Committee
- House Bill No. 1106** -- Funeral Directors and Embalmers -- House Commerce Committee
- House Bill No. 1107** -- Health, Dept. of -- Caption Bill Held on House Desk
- House Bill No. 1108** -- Criminal Procedure -- House Judiciary Committee
- House Bill No. 1109** -- Tort Liability -- House Judiciary Committee
- House Bill No. 1110** -- Law Enforcement -- House Judiciary Committee
- House Bill No. 1111** -- Highway Signs -- House Transportation Committee
- House Bill No. 1112** -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee

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**House Bill No. 1113** -- Zoning -- House State and Local Government Committee

**House Bill No. 1114** -- Contractors -- House Commerce Committee

**House Bill No. 1115** -- Hotels and Restaurants -- House Health and Human Resources Committee

**House Bill No. 1116** -- Veterans -- House State and Local Government Committee

**House Bill No. 1117** -- Explosives -- House Commerce Committee

**House Bill No. 1118** -- Taxes, Sales -- House Finance, Ways and Means Committee

**House Bill No. 1119** -- Claims Commission, Tennessee -- House Judiciary Committee

**House Bill No. 1120** -- Motor Vehicles -- House Commerce Committee

**House Bill No. 1121** -- Plumbers and Plumbing -- House Commerce Committee

**House Bill No. 1122** -- Health Care -- House Health and Human Resources Committee

**House Bill No. 1123** -- Health Care -- House Health and Human Resources Committee

**House Bill No. 1124** -- Motor Vehicles -- House Transportation Committee

**House Bill No. 1125** -- Consumer Protection -- House Commerce Committee

**House Bill No. 1126** -- Purchasing -- House State and Local Government Committee

**House Bill No. 1127** -- Teachers, Principals and School Personnel -- House Education Committee

**House Bill No. 1128** -- Bail, Bail Bonds -- House Judiciary Committee

**House Bill No. 1129** -- Children -- House Government Operations Committee

**House Bill No. 1130** -- Teachers, Principals and School Personnel -- House Judiciary Committee

**House Bill No. 1131** -- Education -- House Government Operations Committee

**House Bill No. 1132** -- Alcoholic Offenses -- House Judiciary Committee

**House Bill No. 1133** -- Domestic Violence -- House Children and Family Affairs Committee

**House Bill No. 1134** -- Domestic Violence -- House Children and Family Affairs Committee

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**House Bill No. 1135** -- Domestic Violence -- House Children and Family Affairs Committee

**House Bill No. 1136** -- Divorce, Annulment and Alimony -- House Children and Family Affairs Committee

**House Bill No. 1137** -- Emergency Communications Districts -- House State and Local Government Committee

**House Bill No. 1138** -- Criminal Offenses -- House Judiciary Committee

**House Bill No. 1139** -- Probation and Parole -- House Judiciary Committee

**House Bill No. 1140** -- Campaigns and Campaign Finance -- House State and Local Government Committee

**House Bill No. 1141** -- Campaigns and Campaign Finance -- House State and Local Government Committee

**House Bill No. 1142** -- Domestic Violence -- House Judiciary Committee

**House Bill No. 1143** -- Safety -- House Judiciary Committee

**House Bill No. 1144** -- Safety -- House Judiciary Committee

**House Bill No. 1145** -- Sentencing -- House Judiciary Committee

**House Bill No. 1146** -- Probation and Parole -- House Judiciary Committee

**House Bill No. 1147** -- Criminal Offenses -- House Judiciary Committee

**House Bill No. 1148** -- State Employees -- House State and Local Government Committee

**House Bill No. 1149** -- Domestic Violence -- House Judiciary Committee

**House Bill No. 1150** -- Emergency Communications Districts -- House State and Local Government Committee

**House Bill No. 1151** -- Sexual Offenses -- House Judiciary Committee

**House Bill No. 1152** -- Tobacco Master Settlement Agreement -- Caption Bill Held on House Desk

**House Bill No. 1153** -- Tobacco Master Settlement Agreement -- Caption Bill Held on House Desk



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- \*House Bill No. 1154** -- Insurance, Fire and Casualty -- House Commerce Committee
- House Bill No. 1155** -- Bail, Bail Bonds -- House Judiciary Committee
- House Bill No. 1156** -- Managed Care Organizations -- House Commerce Committee
- \*House Bill No. 1157** -- Criminal Offenses -- Caption Bill Held on House Desk
- \*House Bill No. 1158** -- Medical Occupations -- House Health and Human Resources Committee
- House Bill No. 1159** -- Tobacco, Tobacco Products -- House Agriculture Committee
- House Bill No. 1160** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee
- House Bill No. 1161** -- Alcoholic Beverages -- House State and Local Government Committee
- House Bill No. 1162** -- Taxes, Real Property -- House State and Local Government Committee
- House Bill No. 1163** -- Railroads -- House Transportation Committee
- House Bill No. 1164** -- Holidays and Days of Special Observance -- House State and Local Government Committee
- House Bill No. 1165** -- Racing and Motor Sports -- House State and Local Government Committee
- House Bill No. 1166** -- Courts -- House Judiciary Committee
- House Bill No. 1167** -- Professions and Occupations -- House Commerce Committee
- House Bill No. 1168** -- Tort Liability -- House Judiciary Committee
- House Bill No. 1169** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee
- House Bill No. 1170** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee
- House Bill No. 1171** -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

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**House Bill No. 1172** -- TennCare -- House Commerce Committee

**House Bill No. 1173** -- Historical Sites and Preservation -- House Conservation and Environment Committee

**House Bill No. 1174** -- Education -- House Education Committee

**House Bill No. 1175** -- Economic and Community Development -- House State and Local Government Committee

**House Bill No. 1176** -- Education -- House Education Committee

**House Bill No. 1177** -- Education -- House Education Committee

**House Bill No. 1178** -- Pensions and Retirement Benefits -- House Education Committee

**House Bill No. 1179** -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

**House Bill No. 1180** -- Education -- House Government Operations Committee

**House Bill No. 1181** -- Education, Higher -- House Education Committee

**House Bill No. 1182** -- Home Improvement Contractors -- House Commerce Committee

**House Bill No. 1183** -- Consumer Protection -- House Consumer and Employee Affairs Committee

**House Bill No. 1184** -- Tort Liability -- House Judiciary Committee

**House Bill No. 1185** -- Tort Liability -- House Judiciary Committee

**House Bill No. 1186** -- Utilities, Utility Districts -- House State and Local Government Committee

**House Bill No. 1187** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

**House Bill No. 1188** -- Sunset Laws -- House Government Operations Committee

**House Bill No. 1189** -- Hospitals and Health Care Facilities -- House Health and Human Resources Committee

**House Bill No. 1190** -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee

**House Bill No. 1191** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

## **MONDAY, FEBRUARY 12, 2001 – EIGHTH LEGISLATIVE DAY**

**House Bill No. 1192** -- Insurance Companies, Agents, Brokers, Policies -- House Commerce Committee

**House Bill No. 1193** -- Mental Retardation -- House Health and Human Resources Committee

**House Bill No. 1194** -- Salaries and Benefits -- House State and Local Government Committee

**House Bill No. 1195** -- Teachers, Principals and School Personnel -- House Education Committee

**House Bill No. 1196** -- Tort Liability -- House Judiciary Committee

**House Bill No. 1197** -- Tort Liability -- House Judiciary Committee

**House Bill No. 1198** -- Education -- House Finance, Ways and Means Committee

**House Bill No. 1199** -- Education -- House Finance, Ways and Means Committee

**House Bill No. 1200** -- Election Laws -- House State and Local Government Committee

**House Bill No. 1201** -- Bonding, Surety and Professional -- House Judiciary Committee

**House Bill No. 1202** -- Bail, Bail Bonds -- House Judiciary Committee

**House Bill No. 1203** -- Bail, Bail Bonds -- House Judiciary Committee

**House Bill No. 1204** -- Motor Vehicles -- Caption Bill Held on House Desk

### **CONSENT CALENDAR**

**House Bill No. 108** -- Municipal Government - Clarifies that person authorized to vote in municipal election or referendum held in Pigeon Forge as non-resident real property owner is not qualified to run for election to office of commissioner. Amends TCA Title 6, Chapter 20, Part 1. by \*Montgomery. (\*SB5 by \*Clabough)

On motion, House Bill No. 108 was made to conform with **Senate Bill No. 5**; the Senate Bill was substituted for the House Bill.

**House Bill No. 125** -- Shelbyville - Subject to local approval, increases salary of mayor from \$7,200 to \$10,200 per annum and salary of councilman from \$4,800 to \$7,800 per annum. Amends Chapter 754 of the Private Acts of 1947; as amended. by \*Phillips. (SB16 by \*Trail)

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**House Bill No. 210** -- Morristown - Subject to local approval, revises charter on filling vacancies in office of mayor; places restrictions on council member from qualifying as candidate for office of mayor. Amends Chapter 103 of the Acts of 1903; as amended. by \*Ford S. (SB510 by \*Haun)

**House Bill No. 254** -- Lauderdale County - Subject to local approval, decreases county highway commission from two members to one member. Amends Chapter 304 of the Private Acts of 1929; as amended. by \*Fitzhugh. (SB854 by \*Norris)

**House Bill No. 614** -- Madison County - Subject to local approval, amends monetary limits of purchasing agent's authority. Amends Chapter 102 of the Private Acts of 1947; as amended. by \*Kisber, \*Shaw. (SB918 by \*Carter)

**House Resolution No. 18** -- Memorials, Personal Achievement - Justin Porter Beckwith, Eagle Scout. by \*Rowland, \*Beavers, \*Hood.

**House Resolution No. 19** -- Memorials, Personal Achievement - Steven Adam Herod, Eagle Scout. by \*Rowland, \*Beavers, \*Hood.

**House Resolution No. 20** -- Memorials, Personal Achievement - John James Browning, Eagle Scout. by \*Rowland, \*Beavers, \*Hood.

**House Joint Resolution No. 17** -- Memorials, Professional Achievement - Vice President Al Gore. by \*Miller L.

**House Joint Resolution No. 64** -- Memorials, Professional Achievement - Dr. Charles K. Wolfe, ASCAP-Deems Taylor Award for his book, A Good-Natured Riot: The Birth of the Grand Ole Opry. by \*Hood, \*Rowland, \*Fraley, \*Williams (Williamson), \*Sands, \*Fowlkes, \*Beavers.

**House Joint Resolution No. 61** -- Memorials, Personal Occasion - T.K. and Effie Watkins' 50th Wedding Anniversary. by \*Bone.

**House Joint Resolution No. 62** -- Memorials, Professional Achievement - Aubrey Brooks, TCJFCJ/TJCSA Outstanding Juvenile Court Supervisor/Manager. by \*Fowlkes.

**House Joint Resolution No. 65** -- Memorials, Congratulations - Martin Middle School Cheerleaders. by \*Maddox.

**House Joint Resolution No. 66** -- Memorials, Heroism - Dylan Ray Burnette of Henry. by \*Ridgeway.

**OBJECTION -- CONSENT CALENDAR**

Objection(s) was/were filed to the following on the Consent Calendar:

**House Joint Resolution No. 17:** by Rep. Miller

Rep. Miller moved that House Joint Resolution No. 17 be held on the Clerk's desk, which motion prevailed.

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Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

### REGULAR CALENDAR

**\*Senate Joint Resolution No. 1** -- Constitutional Amendments - Empowers general assembly to authorize state lottery; net proceeds to be allocated to provide financial assistance to enable Tennessee citizens to attend in-state post-secondary educational institutions; excess to be appropriated to K-12 capital outlay projects and early learning and after-school programs. by \*Cohen, \*Crutchfield, \*Trail, \*Miller J.

Further consideration of Senate Joint Resolution No. 1 previously considered on February 8, 2001, at which time it was read for the first constitutional reading and reset for today's Calendar.

Rep. Newton requested that the Clerk read Senate Joint Resolution No. 1 for the second constitutional reading.

The Clerk read Senate Joint Resolution No. 1.

Rep. Kernell moved that Senate Joint Resolution No. 1 be reset for the Regular Calendar on February 14, 2001, which motion prevailed.

**UNFINISHED BUSINESS**

**RULES SUSPENDED**

Rep. Davidson moved that the rules be suspended to allow all appropriations and revenue bills to be considered properly filed on February 20, 2001. The motion, which was seconded by Rep. McDaniel, prevailed.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 882:** Rep(s). Newton as prime sponsor(s).

**House Bill No. 883:** Rep(s). Newton as prime sponsor(s).

**House Bill No. 884:** Rep(s). Newton as prime sponsor(s).

**House Bill No. 886:** Rep(s). Newton as prime sponsor(s).

**House Bill No. 1255:** Rep(s). Newton as prime sponsor(s).

**MESSAGE FROM THE SENATE**

**February 12, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 115 and 144; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**MESSAGE FROM THE SENATE**

**February 12, 2001**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3 and 23; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**\*Senate Bill No. 3** -- Traffic Safety - Permits computer or other electronic displays in utility motor vehicles to be used by utility employee only while vehicle is stopped, standing or parked. Amends TCA Section 55-9-105. by \*Atchley, \*Rochelle, \*Burchett, \*Henry. (HB126 by \*Rhinehart, \*Cole (Carter), \*Cole (Dyer), \*Davis (Cocke))

**\*Senate Bill No. 23** -- General Assembly - Prohibits smoking in restrooms and hallways of War Memorial Building and Legislative Plaza. by \*Kurita, \*Blackburn, \*Rochelle, \*Cohen, \*Cooper J, \*Burchett, \*Trail, \*Dixon, \*Jackson, \*Herron. (HB137 by \*Black)

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**MESSAGE FROM THE SENATE  
February 12, 2001**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 48, 49, 50 and 51; all concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

**ENGROSSED BILLS  
February 12, 2001**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 125, 210, 254, 614, also, House Joint Resolution(s) No(s). 61, 62, 64, 65 and 66.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ROLL CALL**

The roll call was taken with the following results:

Present .....95

Representatives present were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

**RECESS MOTION**

On motion of Rep. Davidson, the House stood in recess until 2:00 p.m. Wednesday, February 14, 2001.